VILLAGE OF QUESTA
REGULAR MEETING MINUTES
TUESDAY, SEPTEMBER 12, 2017
VILLAGE OF QUESTA COUNCIL CHAMBERS
6:00PM

I. CALL TO ORDER BY MAYOR MARK L. GALLEGOS
Mayor Gallegos called the meeting to order at 6:05 pm.

II. ROLL CALL
Mayor Gallegos asked Village Clerk Renee Martinez to take roll.

Present:
Councilor Lawrence Ortega
Councilor Brent Jaramillo

Councilor John Anthony Ortega arrived at 6:29pm

Not Present:
Councilor Julian Cisneros

Also Present:
Administrator Nicholas Maestas
Village Clerk Renee Martinez
Finance Director Karen Shannon

III. PLEDGE OF ALLEGIANCE
Mr. Gordon Robinson led the Pledge of Allegiance.

IV. APPROVAL OF AGENDA
Councilor Brent Jaramillo requested Items VIII and IX be moved up above Item VII.

Motion: Councilor Brent Jaramillo
Second: Councilor Lawrence Ortega

In Favor: All
Opposed: None

To approve the agenda as amended. All voted yes. Motion carried.

V. APPROVAL OF MINUTES
  • August 30, 2017 – Special Meeting

Motion: Councilor Lawrence Ortega
Second: Councilor Brent Jaramillo

In Favor: All
Opposed: None

To approve the August 30, 2017 meeting minutes as presented. All voted yes. Motion carried.
VI. **PUBLIC COMMENTS** - (It is the policy of the Governing Body to accept public comment. Because your particular issue is not on the agenda the Governing Body cannot respond immediately, but may direct staff to address issues at a future Council Meeting. Public comments are limited to a maximum of three minutes.)

- **Mr. Gordon Robinson** - Mr. Gordon Robinson stated that his property lies adjacent to Molycorp Memorial Park. He is concerned about the trees on the fence line at the boundary to his property. There are old cottonwoods and his concern is that they are falling and wants it addressed before a tree falls on a vehicle or injures someone. One tree has already fallen. There are about 15-20 trees along the fence line. With winter coming, he is concerned about the heavy snow on the branches. This summer there was a bad windstorm that did damage. Mr. Gordon understands that various events will be held there soon. He would like to see the fence line cleared and a fence be put up in the future. He suggested removing them and sharing the cost with the Village. He has marked the trees with a red X that he believes should come down.

  Direction was given to Mr. Maestas to contact Mr. Robinson to resolve this issue.

- **Former Mayor Charlie Gonzales** - Mr. Gonzales announced that he is a grandfather once again to a baby girl born today.

VIII. **DISCUSSION ITEMS**

A. Discussion regarding Message Board

Councilor Lawrence Ortega stated that we have an agreement with the Questa Schools that we both can utilize it. He stated that there are mostly school messages and would like to see if we can add more Village related business. He asked Mr. Maestas to please look into the procedure to getting these messages on.

B. Discussion regarding communications from Mayor to full Council

Councilor Lawrence Ortega stated that there had been improvement since Mr. Maestas has come on board. He stated that there had been some instances where he felt like the full council was not aware of some meetings such as the one Congressman Ben Ray Lujan was going to hold in August. He would just like to make sure that the Council is informed about all of these meetings. Councilor Jaramillo brought up a schedule calendar at the last meeting. Mayor Gallegos stated to Mr. Maestas that it is important that the entire Governing Body respond within 24 hours that they have received the email. If there is no response, follow it up with a phone call or text. Mayor Gallegos stated that he understands where Councilor Ortega’s concerns were; however believes that everyone’s intent was that we all worked as best as we could together and will continue to work towards the best interest of the Village as a whole. Mayor Gallegos stated that he appreciates that we have an Administrator now to take on these duties. He would like to make it clear that the door will be open, has been open, and continues to be open for all Council to assist the administrator. He believes it is a key thing that we lacked. Lack of leadership on his part and lack of participation through the Council. When our last Administrator left, we sat down and discussed how we can get things done through a collaborative effort. In order for the Administrator to be successful he needs to be updated and needs all historic information and project information. Let’s make sure to find the time to get in here to assist Mr. Maestas.

Mr. Maestas stated that if there is any way he can improve on communications please let him know.

C. Review of Business Park Plans by full Council

Councilor Lawrence Ortega informed the Council that Wilson & Co., provided the plans for review and if we have any questions we can get back to them. Mr. Joe Moore informed the Governing Body that if they have any questions they can call or email him.

D. Discussion regarding PRV’s, Telemetry System and Water Leak Repairs
Councilor Lawrence Ortega stated that we have some money for these repairs and talked about going to the Water Trust Board to possibly get more. We spoke about this last winter when we had our water crisis; the telemetry System and PRV's are two of the main things that need to be repaired and replaced. We want to make sure we get this going. Mayor Gallegos stated that we have funds to use for water system improvements. Mr. Maestas reviewed some funding that we have available. Councilor Jaramillo agreed that the PRV’s and Telemetry system are a priority along with enclosing the well. He suggested that we work with engineers and figure out our priorities now and come spring we can go out to bid. Make this a priority over the winter months. Mayor Gallegos stated that NMED is requiring a well house at the well and we should probably have an action item at the next meeting. Councilor Jaramillo asked if any of the funding we have can be used for the well house. Councilor Lawrence Ortega stated that James, Cooke and Hobson could come and assess the PRV's and pumps. Direction was given to Mr. Maestas and update at next meeting.

Councilor John Ortega arrived at this time.

IX. FINANCIALS – Ms. Karen Shannon, Finance Director

A. Discussion, Consideration & Decision regarding the approval of Unpaid Vouchers

Ms. Shannon stated that the Vouchers presented are as of September 08, 2017.

Councilor Lawrence Ortega inquired about the invoice for Navarro Telecommunications. Ms. Shannon stated that our phone system was hacked. Century Link contacted us and we in turn called Navarro who came out and took care of it and contacted Century Link to block all international calls.

Motion: Councilor Lawrence Ortega
Second: Councilor John Ortega

Roll Call:

Councilor John Ortega YES
Councilor Lawrence Ortega YES
Councilor Brent Jaramillo YES

To approve the vouchers as presented. All voted yes. Motion carried.

VII. ACTION ITEMS

A. Discussion, Consideration & Decision of prioritization of Abra Road and other Streets in the 2017 NMDOT Coop Agreement (Project No. SP-5-16(195))

Mr. Maestas stated we had the opportunity to review the information as presented by Wilson & Co. at the work session earlier. Mayor stated that part of the discussion Wilson proposed that we would try and meet the requirements of Abra Road by using all the Coop funding. Also, discussed were the commitments we made on Embargo Road. The $100,000.00 dollars from Chevron is dedicated to Abra Rd. A discussion was held. Councilor Lawrence Ortega stated for the record that part of the Coop money has already been used for engineering.

It was decided to go with the Mayor’s recommendation and use the $100,000.00 from Chevron on Abra Road and the remaining Coop funding be used on pothole and patchwork repair on Embargo Road and Cabresto Road.

Motion: Councilor Lawrence Ortega
Second: Councilor Brent Jaramillo
In Favor: All
Opposed: None

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To approve the prioritization of Abra Road and other Streets in the 2017 NMDOT Coop Agreement (Project No. SP-5-16(195)). All voted yes. Motion carried.

B. Discussion, Consideration & Decision regarding the approval of Resolution 2017-14
Re: Infrastructure Capital Improvement Plan (ICIP) 2019-2023

Mr. Maestas stated that a public hearing was held on September 6, 2017 and unfortunately no one showed up. He stated that he did receive feedback from the Council. A discussion was held regarding the ranked items.

It was decided that the top 8 would be the following:

1. Water System Improvements
2. Cabresto Road Improvements
3. Water and Sewer Line Extensions
4. Combination of Business Park/Economic Development Projects
5. Road Improvements and Repairs
6. Emergency Vehicles and Equipment
7. Building Improvements
8. New Fire Department Building

Moving on to 2020:

1. Construct New Water Storage Tank
2. Municipal Park Improvements
3. Admin Building Renovations, etc.

Motion: Councilor John Ortega
Second: Councilor Lawrence Ortega

Roll Call:

Councillor John Ortega YES
Councillor Lawrence Ortega YES
Councillor Brent Jaramillo YES

To approve Resolution 2017-14 – Infrastructure Capital Improvement Plan (ICIP) 2019-2023. All voted yes. Motion carried.

C. Discussion, Consideration & Decision regarding the approval of Resolution 2017-15
Re: 2017/2018 NMDOT LGRF Program

Mr. Maestas stated that the Village was awarded a grant from the NMDOT LGRF Program in the amount of $55,782.00 with a Village match of $13,000.00. It is a requirement of the state that the Village pass a Resolution accepting the funds.

Councilor Jaramillo asked what these funds were designated towards. Mayor Gallegos stated that it would be used as a match for the Cabresto Road MAP project. Councilor Jaramillo asked if the State would allow us to match State dollars with State dollars. Mr. Moore stated yes, that is his understanding.

Motion: Councilor Lawrence Ortega
Second: Councilor Brent Jaramillo
Roll Call:

Councilor John Ortega    YES
Councilor Lawrence Ortega  YES
Councilor Brent Jaramillo  YES

To approve Resolution 2017-15, accepting the 2017/2018 NMDOT LGRF Program grant funds. All voted yes. Motion carried.

D. Discussion, Consideration & Decision regarding the approval of Resolution 2017-16
Re: 2018 NMDOT MAP Project

Mr. Maestas stated that the Village was awarded a grant from the NMDOT MAP Program in the amount of $404,768.00 with a Village match of $101,192.00. It is a requirement of the state that the Village pass a Resolution accepting the funds. This will go towards the Cabresto Road project.

Motion:    Councilor John Ortega
Second:    Councilor Brent Jaramillo

Roll Call:
Councilor John Ortega    YES
Councilor Lawrence Ortega  YES
Councilor Brent Jaramillo  YES

To approve Resolution 2017-16 / 2018 NMDOT MAP Project. All voted yes. Motion carried.

X. **EXECUTIVE SESSION** – (Pursuant to Open Meetings Act - NMSA 1978)

A. Real Property & Water Rights – (Exemption 10-15-1(H)(8), which allows for discussion of the purchase, acquisition or disposal of real property or water rights by the public body.

1.) Request from Chevron Mining regarding Don Martinez Road –

A motion to enter into Executive Session was made by Councilor Brent Jaramillo, seconded by Councilor Lawrence Ortega.

Roll Call:
Councilor John Ortega    YES
Councilor Lawrence Ortega  YES
Councilor Brent Jaramillo  YES

Mayor Gallegos stated that the Governing Body will go into Executive Session to discuss only the items listed.
The Governing Body entered into Executive Session at 7:12pm.

**5 minute break

A motion was made to reconvene from Executive Session at 7:42pm by Councilor Lawrence Ortega, seconded by Councilor John Ortega.

Roll Call:
Councilor Lawrence Ortega    YES
Councilor Brent Jaramillo  YES
Councilor John Ortega    YES

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Mayor Gallegos stated that only the item listed were discussed during closed session. There was no action taken.

XI. **ACTION ITEM**

A) Discussion, Consideration & Decision regarding the request from Chevron Mining regarding Don Martinez Road

A motion was made by Councilor Lawrence Ortega for Mr. Maestas to contact the Village Attorney and receive a response from them before any action is taken. Seconded by Councilor Brent Jaramillo. Councilor John Ortega asked for discussion and inquired if we want to review the zoning ordinance. Councilor Jaramillo stated it will be part of the process.

In Favor: All
Opposed: None

To approve the direction given to Mr. Maestas to contact the Village Attorney and receive a response from them before any action is taken. All voted yes. Motion carried.

XII. **MATTERS FROM ADMINISTRATOR** – Mr. Nicholas Maestas

Mr. Maestas informed the Governing Body on the following:

- Two CDBG hearings were held on September 5th and September 7th; there was no one from the public present; as well as for the ICIP hearing.
- The staff BBQ was held on Friday at the Youth Center park area. We toured the facility. There has been a lot of interest from Zumba and other groups to utilize the facility. We are looking into a fee structure. The Youth Center is in need of a cleaning after the work was done. Councilor Lawrence Ortega asked if this was a result of the contractor’s work; normally the contractor is responsible for cleaning up after their work is done. Mr. Maestas stated he will check with the architect.
- We have made an offer to the second candidate for the MVD Clerk position. She called today to decline the position because of the pay. We will need to revisit this vacancy.
- Two Police cadets have been hired at 20 hours a week. We did post for the Public Works Department with the absence of Mr. Nick Trujillo. Two full time temporary positions were advertised with the importance of moving forward and winterizing the well and meters. We are hoping to find 2 experienced individuals. We have received two applicants so far. Councilor Lawrence Ortega requested a copy of the job announcement. Mr. Maestas stated that we hope to save money to be able to fill the Public Works Director position by January who is leveled in water and sewer.
- Community clean-up - Molycorp Field will serve as the home base. The Village will take on the task of preparing Molycorp field. There will be a contest for the cleanest property. A discussion was held regarding the dumpsters and the costs regarding the dumping and tipping fees.
- The RFP for On-Call Engineering services is not on agenda. The question was what the cost to Village would be. There are no up-front costs. The Council awards the firm and the negotiations begin. There is no cost to the Village until a task order is given. Councilor Lawrence Ortega stated we need to budget some money. Councilor Jaramillo stated we need to budget some money and we also have the grants to start off with. He asked if we are going to revisit the recommendation. Mr. Maestas stated that we should move onto the next phase and award. Mayor asked that before we place it on the agenda for approval we should make sure we have money in the budget. Councilor Jaramillo suggested that the best thing Mr. Maestas could do is go to Santa Fe and meet with the NMED Constructions Program and make sure they are alright with an on-call engineer. Councilor Lawrence Ortega stated that his opinion is that we should proceed with the staff’s recommendation on the RFP. Councilor Jaramillo asked if there is money to kick this off. Mayor Gallegos stated we need to set money aside for the on-call engineer; we cannot use other

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grant funds to pay for the services and be short on the construction. It was decided to wait until November/December and see if we have money at that time to set aside for the RFP. Councilor Lawrence Ortega stated we need to get the projects going that we have the money for already. We need to start moving on these.

- Mr. Clarence Aragon from NM Rural Water came to look at the WWTP. He commented very well on the WWTP and how it is being run. Mr. Maestas gave kudos to Mr. Jamie Archuleta, for the record, for taking care of the WWTP.

- There is a CDBG Council hearing meeting in Albuquerque tomorrow morning regarding the 2017 CDBG grant project. Mr. Maestas was directed to attend this hearing as representative for the Village of Questa. Councilor Lawrence Ortega stated that they prefer representation from the Village. A discussion was held how the information for this meeting was given. Councilor Lawrence Ortega stated that we all need to get the same information regarding these meetings. The information should be sent to Mr. Maestas and disseminated to the Council. Councilor Lawrence Ortega stated he made it clear at the last meeting that any meeting having to do with the Village of Questa that the Council can attend he wants to know about it.

XIII  MATTERS FROM ATTORNEY

Not present.

XIV.  MATTERS FROM MAYOR AND COUNCIL

Councilor John Ortega:

- Inquired about the streetlights. Mr. Maestas stated that we are having a hard time getting electricians to come assess the issue. A discussion was held regarding procurement. Councilor Lawrence Ortega stated that as long as procurement is followed there should not be an issue. Mr. Maestas stated that he will move forward with a $1,000.00 Purchase Order for the electrician.

- Received a call about a dumpster change-out request on Old Lama Road- requesting plastic lids. They stated that someone here had told them it would cost them more.

- There is a lot of miscommunication coming out of this office regarding projects, etc. He would like to make sure the communication is accurate. Councilor John Ortega stated for the record that he is not blaming anyone, he is just asking that from here on out accurate information is given.

Councilor Lawrence Ortega:

- Suggested Mr. Maestas revisit the last set of minutes under Matters from Mayor and Council. There are things that were requested that need to be taken care of; such as the Beautification Project final inspection.

- We received a breakdown on the CDBG project costs for the Work Study earlier; requested the rest of the Council receive one.

Councilor Brent Jaramillo:

- Inquired about the work going on just South of SR 522. Ms. Martinez stated that the NM Gas Co. is drilling to put a pipe in.

- Inquired about the dates the auditor will be here. Ms. Shannon stated they will be here in November.

- Are we at the point where we need to go to Santa Fe and talk to who we need to regarding the emergency money? Mayor Gallegos stated they can stop tomorrow at DFA and inquire about it.

Mayor Gallegos:

- Mr. Abe Cordova is interested in selling water rights to the Village.

- New Police Unit is available for pick up tomorrow. The vendor stated that they just need a PO for the purchase until the insurance check comes in. Mayor asked the Council for their ok for pickup of the vehicle and ratify it at the next meeting. The Council stated that they were fine with that.

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Mr. Maestas requested that the approval of the travel requests be approved by him from now on. Councillor John Ortega stated that he is fine with that. His only concern is still that we have not received the Emergency money. Councillor Lawrence Ortega stated that we can always revisit it.

XV. ADJOURNMENT

Motion: Councillor John Ortega
Second: Councillor Lawrence Ortega

In Favor: All
Opposed: None

There being no further business to discuss, the meeting was adjourned at 9:02pm.

ATTEST:

[signature]

APPROVED:

[signature]

Mark Gallegos, Mayor

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